

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

KEVIN DEJUAN MCKINNEY
#529796,
Plaintiff

CIVIL DOCKET NO. 1:22-CV-00382
SEC P

VERSUS

JUDGE DRELL

DUSTIN DAVIS, *ET AL.*,
Defendants

MAGISTRATE JUDGE PEREZ-MONTES

JUDGMENT

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein (ECF No. 11), noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that Plaintiff's claim for monetary damages for wrongful arrest and imprisonment is hereby STAYED, pending the outcome of his criminal proceedings, in accordance with the following conditions:

- a. Within thirty (30) days of the date the state court criminal proceeding has concluded, Plaintiff SHALL FILE a motion asking this Court to lift the stay. The action will proceed at that time, absent some other bar to suit. *See Wallace v. Kato*, 549 U.S. 384 (2007).
- b. If the criminal proceeding is not concluded within six (6) months, Plaintiff SHALL FILE, six (6) months from the date of this judgment, a status report indicating the expected completion date of the proceeding. Additional status reports shall be filed every six (6) months thereafter until the stay is lifted.

Considering the stay, this case is ADMINISTRATIVELY CLOSED until further order of the Court. IT IS ORDERED that Plaintiff SHALL NOT file any more documents related to his claims excepted as directed in this Judgment.

THUS, DONE AND SIGNED at Alexandria, Louisiana, this 19TH day of May 2022.



DEE D. DRELL SENIOR JUDGE
UNITED STATES DISTRICT COURT